



OPERATIONAL MEMO

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| Title: Supports Intensity Scale (SIS-A) Complaint Process Updates and AAIDD Copyright Policies | Topic: Case Management |
| Audience: Case Management Agencies | Sub-Topic: SIS Assessments |
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| Legal Authority: 10 CCR 2505-10 §8.612.2 and §25.5-1-301 through §25.5-1-303, C.R.S. | |
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| Approved By: Hayley Gleason | |

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Purpose and Audience:

The purpose of this Operational Memo is to provide operational guidance and clarification to Case Management Agencies (CMAs) on Supports Intensity Scale (SIS) Assessment complaints, disputes, and appeals and to provide additional information on the American Association on Intellectual and Developmental Disabilities (AAIDD) copyright policies. The Department of Health Care Policy and Financing (HCPF) received notification on Jan. 6, 2025, that recording of SIS Interviews is prohibited. To clarify this prohibition sent to all states, the OM 24-067 dated Dec. 19, 2024, is rescinded. All content from the previous memo remains except for the revised/replaced section under "Recording SIS Interviews".

Information:

The SIS is an assessment used by HCPF to determine a Member's Support Level in the Home and Community-Based Services (HCBS) Developmental Disabilities (DD) and Supported Living Services (SLS) waiver programs. The Support Level is determined using select domains of the SIS Assessment.

The full SIS complaint process is outlined in 10 CCR 2505-10 8.612.2 and includes:

- Complaint submission timelines for the Member and/or their Legally Authorized Representative, if applicable,
- How the Member and/or their Legally Authorized Representative, if applicable, can file a complaint with the CMA,
- The CMA's responsibility in SIS Reassessment requests in response to a complaint,
- The CMA's complaint response timelines,
- How and when the Member, and/or their Legally Authorized Representative, if applicable, can escalate the complaint to HCPF, and
- HCPF's complaint response timeline.

Examples of complaints include, but are not limited to:

- Complainant thinks that the assessor did not administer the SIS correctly.
- Respondents did not provide accurate or complete information.
- The right people were not invited to participate in the SIS Assessment.

Action To Be Taken:

SIS Complaint Process

Current regulation states that complaints shall be submitted up to 30 business days from the SIS interview date. **Effective Dec. 1, 2024, complaints shall be submitted within 30 calendar days of the Member's receipt of the SIS Family Friendly Report.** This will allow the Member and/or Legally Authorized Representative, if applicable, time to review the SIS report prior to submitting a complaint related to the administration of the SIS Assessment.

Case Managers shall document all SIS complaints in the Care and Case Management system including the date and details surrounding the complaint.

Currently, SIS complaints must be documented on the CMA Quarterly Complaint Log and Complaint Trend Analysis form at the time in which they are reported as required by the CMA contract. As of Dec. 1, 2024, the log has been modified to more clearly

identify the SIS Assessment complaints in greater detail. This will improve HCPF's oversight of SIS Assessment complaint trends across the state.

Members and/or Legally Authorized Representative, if applicable, can also submit their SIS complaints via the [Health First Colorado and Child Health Plan Plus Grievance Form](#). Information provided through this form will be directed to the appropriate HCPF staff for resolution and coordination with the corresponding CMA. This will ensure that the complaint is reviewed quickly to determine the appropriate action(s) for a timely resolution of the grievance.

Support Level Review (SLR) Disputes

The results of the SLR panel for Members in HCBS-DD are conclusive as the Support Level only affects Provider Agency rates and not the Member's spending or unit limits as outlined in §8.612.4.D.1.+

If a Member in HCBS-SLS and/or Legally Authorized Representative, if applicable, disagrees with the SLR panel's decision, they may submit a request for their dispute to be reviewed by the HCPF Executive Director's designee by emailing hcpf_hcbs_casemanagement@state.co.us. This shall be submitted within 15 business days of receipt of the decision as indicated in the SLR Panel Decision Letter and outlined in §8.612.4.D.2.

If Members in HCBS-DD or HCBS-SLS and their Member Identified Team (as defined in §8.7200.B.23) feel they have additional or new information to provide, a new updated request can be submitted. Requests shall be Member-specific, detailed, clearly outline why additional funds are necessary, and how these funds will be utilized to maintain the health and safety of the Member.

Formal Appeals Process for HCBS-SLS SIS/Support Levels

If a Member's Support Level decrease causes a reduction, decrease, or denial of services, the CMA shall provide a Notice of Action (NOA) as outlined in 10 CCR 2505-10 8.7202.R. The Member and/or Legally Authorized Representative, if applicable, have the right to file an appeal as outlined in §8.057 and indicated in the NOA.

SIS Reassessments

For Members where the SIS Reassessment results in a decreased Support Level, HCPF will restore the Support Level to the previous higher Algorithm Support Level. HCPF encourages Members and their Member Identified Teams to pursue the SLR process over the SIS Reassessment process, in planning for the June 30, 2025, decommissioning of the SIS Assessment. The existing SLR process will be maintained as is after July 1, 2025.

SIS Family Friendly Report

Case Managers shall briefly review the SIS Family Friendly Report with the Member and Member Identified Team at the Continued Stay Review (CSR) Person-Centered Support Planning meeting (10 CCR 2505-10 8.612.1.F.1). This will ensure that any major changes in the Member's support needs are addressed by submitting a SIS Reassessment Request or an SLR Request when appropriate.

Recording of SIS Interviews is Strictly Prohibited

While some stakeholders have indicated a desire to audio-record SIS Interviews, on Jan. 6, 2025, HCPF received notification from the American Association on Intellectual and Developmental Disabilities (AAIDD), the publisher, copyright holder, and sole owner of the Supports Intensity Scale (SIS) suite of tools, that recording is strictly prohibited. The notice indicated that "The SIS suite of tools is AAIDD's protected intellectual property designed for use by trained, recognized SIS assessors as they conduct an assessment for the individual for whom the assessment is scheduled with their respondents. To maintain the integrity of the process, any recording, transcription, copy, or distribution of the SIS assessment session (in-person or virtual) and materials (electronic or hard copy) is strictly prohibited."

Attachment(s):

None

Links:

[Health First Colorado and Child Health Plan Plus Grievance Form](#)

[LTSS Case Management Forms and Tools - SIS](#)

[SIS and SLR TA Meeting - May 2023 Presentation](#)

[SIS and SLR TA Meeting - May 2023 Recording](#)

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